

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Heinz-Josef LENZ, et al.

Title: POLYMORPHISMS FOR  
PREDICTING DISEASE  
AND TREATMENT  
OUTCOME

Appl. No.: 10/522,664

International  
Filing Date: 7/31/2003  
371(c) Date: 8/3/2005

Examiner: Carla J. Myers

Art Unit: 1634

Confirmation  
Number: 8635

<b>CERTIFICATE OF ELECTRONIC TRANSMISSION</b>	
I hereby certify that this paper is being electronically transmitted to the United States Patent and Trademark Office, Alexandria, Virginia via EFS-Web on the date below.	
Laura Davis (Printed Name)	
 (Signature)	
March 5, 2009 (Date of Transmission)	

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

## a. Previously submitted:

[ ] Please enter and consider the amendment and/or reply previously filed on \_\_\_\_.

[ ] Please consider the Affidavit(s)/Declaration(s) previously filed on \_\_ but not considered.

[ ] Please consider the arguments in the Appeal Brief or Reply previously filed on \_\_\_\_.

## b. Enclosed are:

[X] Amendment/Reply (14 pages).

[X] Affidavit(s)/Declaration(s) (9 pages).

[X] Information Disclosure Statement (3 pages).

[X] Form PTO/SB/08 (3 pages) with copies of 19 listed reference(s).

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$810.00	= \$810.00
Total Claims:	27	-	25 = 2	x \$52.00	= \$104.00
Independents	6	-	6 = 0	x \$220.00	= \$0.00
First presentation of any Multiple Dependent Claims:			+ \$390.00	=	\$390.00
CLAIMS FEE TOTAL:					= \$1304.00

[ X ]      Applicant hereby petitions for an extension of time under 37 C.F.R.  
 §1.136(a) for the total number of months checked below:

<input type="checkbox"/>	Extension for response filed within the first month:	\$130.00	0	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$490.00		\$0.00
[ X ]	Extension for response filed within the third month:	\$1,110.00		\$1,110.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,730.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,350.00		\$0.00
	EXTENSION FEE SUBTOTAL:			\$1,110.00
	EXTENSION FEE ALREADY PAID:		-	\$0.00
	EXTENSION FEE TOTAL			\$1,110.00
	CLAIMS AND EXTENSION FEE TOTAL:			\$2,414.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
	TOTAL FEE:			\$2,414.00

The above-identified fees of \$2,414.00 are being paid by credit card via EFS-Web.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment instructions in EFS-Web being incorrect or absent, resulting in a rejected or incorrect credit card transaction, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date March 5, 2009

By Antoinette F. Konski

FOLEY & LARDNER LLP  
Customer Number: 38706  
Telephone: (650) 251-1129  
Facsimile: (650) 856-3710

Antoinette F. Konski  
Attorney for Applicant  
Registration No. 34,202